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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,289	04/29/2005	Lars Martensson	1027651-000272	6042
	7590 03/15/201 INGERSOLL & ROOI	EXAMINER		
POST OFFICE	BOX 1404	YOO, REGINA M		
ALEXANDRIA	A, VA 22313-1404	ART UNIT	PAPER NUMBER	
		1773		
		NOTIFICATION DATE	DELIVERY MODE	
			03/15/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com offserv@bipc.com

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/533,289	MARTENSSON ET AL.		
Examiner	Art Unit		

The MALLING DATE of this communication appears on the cover sheat with the correspondence address THE REPLY FILED 07 March 2011 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. 1. The reply was filed after a final rejection, but prior to of on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replace (i) on amendment, afficavit, or otherwise on which the prior of the following replace (i) on amendment, afficavit, or otherwise and the file of	RE	GINA YOO	1773	
 1. □ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandomment of this application, applicant must timely file one of the following replies: (1) an amendment, affadiwi, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the proof for reply expires 3 months from the mailing date of the final rejection. b) □ The period for reply expires 3 months from the mailing date of the final rejection. b) □ The period for reply expires 3 months from the mailing date of the final rejection. c) □ The period for reply expires 3 months from the mailing date of the final rejection. Examiner Note: In fox 1 is checked, check either box (a) or (b) ONLY OFECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MFEP 766 or (7). Editations of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee numbers been fled in the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee numbers of the final rejection of the period of extension and the corresponding amount of the fee. The appropriate extension fee numbers of the final rejection of the period of extension and the corresponding amount of the fee. The appropriate extension fee numbers of the final rejection of the fee of the final office action; or (2) as may reduce any example and the mail office action; or (2) as may reduce any example and the final rejection of the fee. The period of the final rejection of the fee. The period of the final fee feet for fining the Notice of Appeal was filed on	The MAILING DATE of this communication appears	on the cover sheet with the c	orrespondence add	ress
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NOTICE OF APPEAL 2. ☐ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filling the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(a)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3. ☑ The proposed amendment(s) filed after a final rejection, but prior to the date of filling a brief, will not be entered because (a) ☑ They raise new issues that would require further consideration and/or search (see NOTE below); (b) ☐ They raise the issue of new matter (see NOTE below); (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)). 4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. ☐ Applicant's reply has overcome the following rejection(s):	TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.0 Extensions of time may be obtained under 37 CFR 1.136(a). The date on whave been filed is the date for purposes of determining the period of extens under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the short set forth in (b) above, if checked. Any reply received by the Office later that	7(f). which the petition under 37 CFR 1.1 ion and the corresponding amount ened statutory period for reply origi	36(a) and the appropriat of the fee. The appropri nally set in the final Office	e extension fee ate extension fee be action; or (2) as
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Continuation of 3. NOTE: the newly amended claim 1 now includes limitations such as packages "having an open end and a closed end", that "the gaseous sterilizing agent flows essentially in a direction from the open end of the packages towards the closed end of the packages" and that the measn for controlling the flow of gaseous sterilizing agent "are arranged to introduce the gaseous sterilizing agent in a bottom portion of the sterilization zone and to evacuate the gaseous sterilizing agent in a bottom portion of the sterilization zone, maintaining a flow of gaseous sterilizing agent essentially from top to bottom", and thus, requires further consideration and/or search.

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments in the last paragraph on p. 8 as well as on p. 9 of Remarks are directed to the newly added limitations to claim 1, which requires further consideration and/or search. As to Applicants argument in lines 2-5 and 2nd full paragraph on p. 8 of Remarks, Examiner would disagree and indicate that the zone 166 was indicated by Taggart as a sterilization zone (see for example, Col. 9 line 45).

RY

/Sean E Conley/ Primary Examiner, Art Unit 1773